

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN RE:

N.C. DANCY

CASE NO. 20-46638-PJS

CHAPTER 13

HONORABLE PHILLIP J. SHEFFERLY

DEBTOR.

\_\_\_\_\_  
JAMES P. FREGO II (P55727)

Attorney for Debtor

23843 Joy Road

Dearborn Heights, MI 48127

(313) 724-5088

-----  
CRAIG S. SCHOENHERR, SR. (P32245)

Attorney for Creditor

O'REILLY RANCILIO P.C.

Sterling Town Center

12900 Hall Road, Suite 350

Sterling Heights, MI 48313-1151

(586) 997-6481

(586) 726-1000  
\_\_\_\_\_

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Santander Consumer USA Inc. dba Chrysler Capital ("Creditor"), for its Objection to Confirmation of Debtor's Chapter 13 Plan, states as follows:

1. The Creditor has perfected its security interest in the 2014 Dodge Journey bearing vehicle identification number 3C4PDCAB1ET247302.
2. The gross outstanding indebtedness owing to the Creditor under the terms of the Retail Installment Sales Contract at the time of filing of the Bankruptcy was \$7,884.12.
3. The Plan states a crammed Class 5.1 value of \$3,000.00 with monthly payments of \$93.32, to be paid with interest at 7.50%.

4. Based upon the NADA Official Used Car Guide, the Creditor asserts that the value of the vehicle is approximately \$9,250.00.

5. The Creditor requests proof of full-coverage insurance.

6. The Plan fails to provide for appropriate equal monthly payments beginning from confirmation as required by 11 U.S.C. § 1325(a)(5)(B)(iii).

7. The Plan fails to provide that the Creditor retain its lien on the subject vehicle as required under 11 U.S.C. § 1325(a)(5)(B)(i).

In conclusion, the Creditor requests that this Court grant the relief requested and not confirm the Chapter 13 Plan until these Objections are resolved.

O'REILLY RANCILIO P.C.

*/s/ Craig S. Schoenherr, Sr.*

---

CRAIG S. SCHOENHERR, SR. (P32245)

Attorney for Creditor

12900 Hall Road, Suite 350

Sterling Heights, MI 48313-1151

(586) 726-1000

[ecf@orlaw.com](mailto:ecf@orlaw.com)

DATED: July 9, 2020